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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,904	06/14/2006	Gianni Minganti	MINGANTI	9222
1444 7590 04/12/2010 BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303				
EXAMINER SCHATZ, CHRISTOPHER T				
ART UNIT		PAPER NUMBER		
1791				
MAIL DATE		DELIVERY MODE		
04/12/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10537904	6/14/2006	MINGANTI, GIANNI	MINGANTI1

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WASHINGTON, DC 20001-5303

EXAMINER

CHRISTOPHER SCHATZ

ART UNIT	PAPER
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20100408

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Commissioner for Patents

1. The reply filed on 12/30/2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant should submit an argument under the heading "Remarks" pointing out disagreements with the examiner's contentions. Applicant must also discuss the references applied against the claims, explaining how the claims avoid the references or distinguish from them. 37 CFR 1.111 requires that: "The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action". The applicant has stated that it is possible that the examiner's citation of US 3763496 in paragraph 6 of the Non-Final Rejection was a typographical error. The reference to U.S. Patent No. 3763496 was indeed a typographical error. It should be noted however, that in section 9 of the Non-Final Rejection, the examiner correctly referred to the Amberg reference as 3767496. The applicant acknowledges such at the top of page 16 of the Remarks by referring to US 3767496. The applicant then states "The arguments set forth above with respect to main claim 1 and the rejections over US 3767496 are reiterated herein by reference". There are no arguments presented above with respect to US 3767496 above, only arguments with respect to US 3763496. Based on the examiner's correct numerical reference to Amberg in section 9 of the Non-Final Rejection and the applicant's recognition of such, the heading in paragraph 6 of The Non-Final Rejection which refers to Amberg, the text of paragraph 6 of the Non-Final Rejection which clearly refers to the figures and text of Amberg, and the fact that Miller is clearly not relevant to the applicant's claimed method and Amberg is relevant, the merits of the examiner's rejection are clear. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/CHRISTOPHER SCHATZ/
Examiner, Art Unit 1791